

Atty Dkt APF 40.01
PATENT

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March 11, 2003

Date

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

HAYNES et al.

Serial No.: 09/846,091

Art Unit: 1632

Filing Date: 30 April 2001

Examiner: L. Scheiner

Title: NUCLEIC ACID IMMUNIZATION

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Commissioner for Patents
Washington, D.C. 20231

Sir:

The information listed below may be material to the examination of the above-identified application. Copies of the information and completed PTO-1449 forms are submitted herewith. The Examiner is respectfully requested to make this information of official record in the application. The information includes:

United States Patent No. 4,945,050, to Sanford et al., issued July 31, 1990;
United States Patent No. 5,036,006, to Sanford et al., issued July 30, 1991;
United States Patent No. 5,100,792, to Sanford et al., issued March 31, 1992;
United States Patent No. 5,120,657, to McCabe et al., issued June 9, 1992;
United States Patent No. 5,149,655, to McCabe, issued Sept. 22, 1992;
United States Patent No. 5,204,253, to Sanford, issued April 20, 1993;

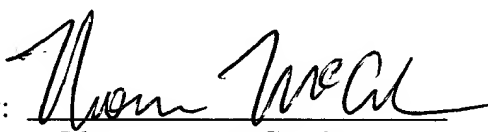
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United States Patent No. 5,405,779, to McCabe et al., issued April 11, 1995;
United States Patent No. 5,584,807, to McCabe, issued Dec. 17, 1996;
United States Patent No. 5,589,466, to Felgner et al., issued Dec. 31, 1996;
United States Patent No. 5,630,796, to Bellhouse et al., issued May 20, 1997;
United States Patent No. 5,643,578, to Robinson et al., issued July 1, 1997;
United States Patent No. 5,691,189, to Kurtz et al., issued Nov. 25, 1997;
United States Patent No. 5,738,852, to Robinson et al., issued April 14, 1998;
United States Patent No. 5,753,237, to Daynes et al., issued May 19, 1998;
United States Patent No. 5,830,877, to Carson et al., issued Nov. 3, 1998;
United States Patent No. 5,865,796, to McCabe, issued Feb. 2, 1999;
United States Patent No. 5,911,982, to Chao, issued June 15, 1999;
United States Patent No. 5,916,879, to Webster, issued June 29, 1999;
United States Patent No. 6,168,587, to Bellhouse et al., issued Jan. 2, 2001;
United States Patent No. 6,169,175, to Frace et al., issued Jan. 2, 2001;
United States Patent No. 6,194,389, to Johnston et al., issued Feb. 27, 2001;
United States Patent No. 6,239,116, to Krieg et al., issued May 29, 2001;
International Publication No. WO 94/21797, published Sept. 29, 1994;
International Publication No. WO 94/24263, published Oct. 27, 1994;
International Publication No. WO 96/04947, published Feb. 22, 1996;
International Publication No. WO 96/12513, published May 2, 1996;
International Publication No. WO 96/14855, published May 23, 1996;
International Publication No. WO 96/20022, published July 4, 1996;
International Publication No. WO 97/48485, published Dec. 24, 1997;
International Publication No. WO 98/03198, published Jan. 29, 1998;
International Publication No. WO 98/10750, published March 19, 1998;
International Publication No. WO 99/07839, published Feb. 18, 1999;
International Publication No. WO 00/02591, published Jan. 20, 2000;
International Publication No. WO 00/03019, published Jan. 20, 2000;
Torres et al. (1997) *J. Immunol.* pp:4529-4532;

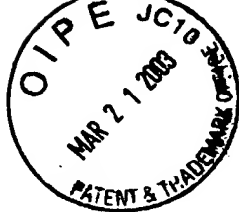
Degano et al. (1998) *Vaccine* 16:394-398;
Moldoveanu et al. (1998) *Vaccine* 16:1216-1224;
Lindstrom et al. (1998) *Arch. Virology* 143:1585-1598;
Levine et al. (1999) *Molec. Med. Today* 5:165-171;
McCluskie et al. (1999) *Molec. Med.* 5:287-300;
Bodey et al. (2000) *Anticancer Research* 20:2665-2676; and
Okuda et al. (2001) *Vaccine* 19:3681-3691.

This Information Disclosure Statement under 37 CFR § 1.97(b) is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Respectfully submitted,

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COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231FORM PTO-1449 (Modified)
LIST OF PATENTS AND PUBLICATIONS
FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT
(Use several sheets if necessary)
Sheet 1 of 3

In the Application of HAYNES, et al.

Serial No.: 09/846,091

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U.S. PATENT DOCUMENTS

Exam.Init.	Ref. Desig.	Document No.	Date	Name	Class	Sub Class	Filing Date
	AA-1	4,945,050	7/31/90	Sanford et al.			
	AB-1	5,036,006	7/30/91	Sanford et al.			
	AG-1	5,100,792	3/31/92	Sanford et al.			
	AD-1	5,120,657	6/9/92	McCabe et al.			
	AE-1	5,149,655	9/22/92	McCabe et al.			
	AF-1	5,204,253	4/20/93	Sanford et al.			
	AG-1	5,405,779	4/11/95	McCabe et al.			
	AH-1	5,584,807	12/17/96	McCabe			
	AI-1	5,589,466	12/31/96	Felgner et al.			
	AJ-1	5,630,796	5/20/97	Bellhouse et al.			
	AK-1	5,643,578	7/1/97	Robinson et al.			
	AL-1	5,691,189	11/25/97	Kurtz et al.			
	AM-1	5,738,852	4/14/98	Robinson et al.			
	AN-1	5,753,237	5/19/98	Daynes et al.			
	AO-1	5,830,877	11/3/98	Carson et al.			
	AP-1	5,865,796	2/2/99	McCabe			
	AQ-1	5,911,982	6/15/99	Chao			
	AR-1	5,916,879	6/29/99	Webster			
	AS-1	6,168,587	1/2/01	Bellhouse et al.			

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Date Considered:

EXAMINER: Initial if citation considered whether or not the citation conforms with MPEP609. Draw a line through the citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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	AT-1	6,169,175	1/2/01	Frace et al.			
	AU-1	6,194,389	2/27/01	Johnston et al.			
	AV-1	6,239,116	5/29/01	Krieg et al.			

FOREIGN PATENT DOCUMENTS

Exam. Init.	Ref. Desig.	Document No.	Publication Date	Country or Patent Office	Class	Sub Class	Translation YES	NO
	AW-1	WO 94/21797	9/29/94	PCT				
	AX-1	WO 94/24263	10/27/94	PCT				
	AY-1	WO 96/04947	2/22/96	PCT				
	AZ-1	WO 96/12513	5/2/96	PCT				
	AA-2	WO 96/14855	5/23/96	PCT				
	AB-2	WO 96/20022	7/4/96	PCT				
	AC-2	WO 97/48485	12/24/97	PCT				
	AD-2	WO 98/03198	1/29/98	PCT			X (abstract)	
	AE-2	WO 98/10750	3/19/98	PCT				
	AF-2	WO 99/07839	2/18/99	PCT				
	AG-2	WO 00/02591	1/20/2000	PCT				
	AH-2	WO 00/03019	1/20/2000	PCT				

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OTHER DOCUMENTS (including Author, Date, Journal, Volume, Pertinent Pages, etc.)

Exam. Init.	Ref. Desig.	Description
	AI-2	Torres et al. (1997) <i>J. Immunol.</i> pp:4529-4532
	AJ-2	Degano et al. (1998) <i>Vaccine</i> <u>16</u> :394-398
	AK-2	Moldoveanu et al. (1998) <i>Vaccine</i> . <u>16</u> :1216-1224
	AL-2	Lindstrom et al. (1998) <i>Arch. Virology</i> <u>143</u> :1585-1598
	AM-2	Levine et al. (1999) <i>Molec. Med. Today</i> <u>5</u> :165-171
	AN-2	McCluskie et al. (1999) <i>Molec. Med.</i> <u>5</u> :287-300
	AO-2	Bodey et al. (2000) <i>Anticancer Research</i> <u>20</u> :2665-2676
	AP-2	Okuda et al. (2001) <i>Vaccine</i> <u>19</u> :3681-3691

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